



U.S. DEPT. OF THE INTERIOR  
OFFICE OF SURFACE MINING  
Mine Site Evaluation  
State Program



C/007/033 Incoming  
cc: Amanda  
Pete

<b>1. Permittee/Person</b> INTERMOUNTAIN POWER AGENCY		<b>9. Permit Number</b> UT-007-033	<b>10. Permit Type</b> PP
<b>2. Address</b> 3266 SOUTH 125 WEST		<b>11. Field Visit Date</b> 1/23/2013	<b>12. Purpose</b> OC
<b>3. City</b> PRICE		<b>13. SRA Present</b> Y	
<b>4. State</b> UT		<b>14. Permit Status</b> A	<b>15. Site Status</b> AP
<b>5. Zip Code</b> 84501		<b>16. Facility Type</b> CFG	
<b>6. Phone Number</b> (435) 636-0818		<b>17. OSM Office #</b> 140	<b>18. CCID #</b> F
<b>7. Operator Name, if Different than Permittee</b> AMERICA WEST RESOURCES, INC.		<b>19. Land Code</b> CARBON	
<b>8. Mine Name</b> WILDCAT LOADOUT		<b>20. M.S.H.A. ID #</b> 42-01864	<b>21. State Abbrev.</b> UT
		<b>22. County/Borough</b> CARBON	
		<b>23. AVS Permittee Entity ID Number</b> 123355	<b>24. State Office</b> 
<b>25. Hours</b> a. Permit Review: 4.0 b. Site Visit Time: 4.0 c. Travel Time: 7.0 d. Report Writing: 4.0		<b>26. Signature Block</b> Signature: <i>Christy Hulsman</i> Printed Name: Christy Hulsman, ID#532 Date: 2/28/2013	
		<b>27. Reviewing Official:</b> Signature: <i>Alan Bodman</i> Review Date: 03-04-2013 mm - dd - yyyy Is Supplemental MSE Page Used Y/N: Y	
<b>Permit Type - Item 10</b> IP = Interim Program PP = Permanent Program NP = No Permit			
<b>Purpose Type Codes - Item 12</b> Oxx...Oversight Axx...Assistance RFx...Reclamation Fees Fxx...Federal Actions CCR...Citizen Complaint Referral (non-site visit) CC...Citizen Complaint (initial site visit) CCF...Assistance			
<b>Joint Inspection - Item 13</b> A joint inspection is when a state inspector accompanies an OSM inspector at any time during the review of the mine site			
<b>Permit Status - Item 14</b> A Active: Coal mining activities occurring or permitted but not yet disturbed. IN Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit): Coal mining completed and reclamation activities initiated. BR Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release). AB Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g). AB1 Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced. AB2 Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards. AB3 Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards. NA Not Applicable: When site is unpermitted.			
<b>Site Status - Item 15</b> ND No Disturbance: No coal mining and reclamation operations have been started. EX Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun. AP Active Coal Producing: Coal surface mining activities are occurring. AN Active Non-Producing: Active non-producing facility such as tipple or preparation plant. NM No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded. MC Mining Complete: No mining activity on site, site regraded and awaiting bond release. TC Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.13(b). P1 Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release. P2 Phase II Release: At least Phase II bond release for the entire permitted area. P3 Phase III Release: Reclamation completed and the RA has released all bond.			
<b>Facility Type Codes - Item 16</b> A...Surface B...Underground C...Preparation Plant D...Ancillary (Haulroad, Conveyor, and/or Rails) E...Refuse and/or Impoundment F...Loading Facility and/or Tipple G...Stockpiles H...Exploration Permits I...Notice of Intent to Explore J...Exempt 16 and 2/3 K...Government Financed Construction Exemption L...Remining site permitted under 30 CFR 785.25			
<b>Small Business Regulatory Enforcement Fairness Act (SBREFA)</b> Your Comments are Important The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).			

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DIV. OF OIL, GAS & MINING



U.S. DEPT. OF THE INTERIOR  
OFFICE OF SURFACE MINING  
Mine Site Evaluation

Permittee/ Person	Permit Number	Field Visit Date	State Program Continuation Page
INTERMOUNTAIN POWER AGENCY	UT-007-033	1/23/2013	

## 28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

### A. Administrative

1. 1 Mining within Valid Permit
2. 1 Mining within Bonded Area
3. 1 Terms & Conditions of Permit
4. 1 Liability Insurance
5. 1 Ownership and Control
6. 3 Temporary Cessation
7.     AML Rec. Fees - Non-Respondent
8.     AML Rec. Fees - Failure to Pay

### B. Hydrologic Balance

1. 1 Drainage Control
2. 1 Inspections & Certifications
3. 1 Siltation Structures
4. 1 Discharge Structures
5. 1 Diversions
6. 1 Effluent Limits
7. 1 Ground Water Monitoring
8. 1 Surface Water Monitoring
9. 3 Drainage - Acid-Toxic Materials
10. 1 Impoundments
11. 1 Stream Buffer Zones

### C. Topsoil & Subsoil

1. 1 Removal
2. 1 Substitute Materials
3. 1 Storage and Protection
4. 4 Redistribution

### D. Backfilling & Grading

1. 3 Exposed Openings
2. 1 Contemporaneous Reclamation
3. 4 Approximate Original Contour
4. 4 Highwall Elimination
5. 3 Steep Slopes (includes downslope)
6. 3 Handling of Acid and Toxic Materials
7. 1 Stabilization (rills and gullies)

### E. Excess Spoil Disposal

1. 1 Placement
2. 1 Drainage Control
3. 1 Surface Stabilization
4. 1 Inspections & Certifications

### F. Coal Mine Waste (Refuse Piles/Impoundments)

1. 1 Drainage Control
2. 1 Surface Stabilization
3. 1 Placement
4. 1 Inspections & Certifications
5. 3 Impounding Structures

### G. Use of Explosives

1. 3 Blaster Certification
2. 3 Distance Prohibitions
3. 3 Blast Survey/Schedule
4. 3 Warnings & Records
5. 3 Control of Adverse Effects

### H. 3 Subsidence Control Plan

#### I. Roads

1. 1 Road Construction
2. 1 Certification
3. 1 Drainage
4. 1 Surfacing and Maintenance
5. 4 Reclamation

#### J. Signs & Markers

1. 1 Signs
2. 1 Markers

#### K. 1 Distance Prohibitions

#### L. Revegetation

1. 4 Vegetative Cover
2. 4 Timing

#### M. 1 Postmining Land Use

#### N. Other

General  
Performance  
Category

## Performance Standard Categories 30 CFR Counterparts

### A. Administrative

- |                                   |                         |
|-----------------------------------|-------------------------|
| 1. Valid Permit                   | 773.11                  |
| 2. Mining within Bonded Area      | 773.11                  |
| 3. Terms & Conditions of Permit   | 773.17                  |
| 4. Liability Insurance            | 800.60                  |
| 5. Ownership and Control          | 778.13                  |
| 6. Temporary Cessation            | 842.11(e) & 816/817.131 |
| 7. AML Rec. Fees - Non-Respondent | 870.15(b)               |
| 8. AML Rec. Fees - Failure to Pay | 870.15(a)               |

### B. Hydrologic Balance

- |                                      |           |
|--------------------------------------|-----------|
| 1. Drainage Control                  | 45        |
| 2. Inspections & Certifications      | 49(a)(10) |
| 3. Siltation Structures              | 46        |
| 4. Discharge Structures              | 47        |
| 5. Diversions                        | 43        |
| 6. Effluent Limits                   | 42        |
| 7. Ground Water Monitoring           | 41(c)     |
| 8. Surface Water Monitoring          | 41(e)     |
| 9. Drainage - Acid - Toxic Materials | 41(f)     |
| 10. Impoundments                     | 49        |
| 11. Stream Buffer Zones              | 57        |

### C. Topsoil & Subsoil

- |                           |       |
|---------------------------|-------|
| 1. Removal                | 22(a) |
| 2. Substitute Materials   | 22(c) |
| 3. Storage and Protection | 22(c) |
| 4. Redistribution         | 22(d) |

### D. Backfilling & Grading

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| 1. Exposed Openings                   | 816/817.13, 14, 15, & 823.11 & 21 |
| 2. Contemporaneous Reclamation        | 100                               |
| 3. Approximate Original Contour       | 102(a)(1)                         |
| 4. Highwall Elimination               | 102(a)(2)                         |
| 5. Steep Slopes (includes downslope)  | 107                               |
| 6. Handling of Acid & Toxic Materials | 102(c)                            |
| 7. Stabilization (rills and gullies)  | 95(b)                             |

### E. Excess Spoil Disposal

- |                                 |                 |
|---------------------------------|-----------------|
| 1. Placement                    | (816/817.71-74) |
| 2. Drainage Control             | 71(e)           |
| 3. Surface Stabilization        | 71(f)           |
| 4. Inspections & Certifications | 71(g)           |
| 5. Impounding Structures        | 71(h)           |

### F. Coal Mine Waste (Refuse Piles/Impoundments)

- |                                   |       |
|-----------------------------------|-------|
| 1. Drainage Control               | 83(a) |
| 2. Surface Stabilization          | 83(b) |
| 3. Placement                      | 83(c) |
| 4. Inspections and Certifications | 83(d) |
| 5. Impounding Structures          | 84    |

### G. Use of Explosives

- |                               |                 |
|-------------------------------|-----------------|
| 1. Blaster Certification      | (816/817.61-68) |
| 2. Distance Prohibitions      | 61(c)           |
| 3. Blast Survey/Schedule      | 61(d)           |
| 4. Warnings & Records         | 62-64           |
| 5. Control of Adverse Effects | 66 & 68         |
| 6. Control of Adverse Effects | 67              |

### H. Subsidence Control Plan

- |                      |                   |
|----------------------|-------------------|
| 1. Road Construction | (817.121-122)     |
| 2. Certification     | (816/817.150-151) |

#### I. Roads

- |                              |               |
|------------------------------|---------------|
| 1. Road Construction         | 150(c)        |
| 2. Certification             | 151(a)        |
| 3. Drainage                  | 150(b)-151(d) |
| 4. Surfacing and Maintenance | 150(e)-151(f) |
| 5. Reclamation               | 150(f)        |

#### J. Signs & Markers

- |                          |                       |
|--------------------------|-----------------------|
| 1. Signs                 | 816/817.11            |
| 2. Markers               | 11(a),(b),(c)         |
| 3. Distance Prohibitions | 11(a),(b),(d),(e),(f) |

#### K. Distance Prohibitions

- |                     |                   |
|---------------------|-------------------|
| 1. Vegetative Cover | (761.11)          |
| 2. Timing           | (816/817.111-116) |

#### L. Revegetation

- |                     |           |
|---------------------|-----------|
| 1. Vegetative Cover | 111 & 116 |
| 2. Timing           | 113       |

#### M. Postmining Land Use

- |                        |               |
|------------------------|---------------|
| 1. Postmining Land Use | (816/817.133) |
|------------------------|---------------|

#### OSM Action

- |                             |  |
|-----------------------------|--|
| 1) Deferred to State Action | 8) ID-CO Issued (Imminent Danger to Public)  |
| 2) TDN Issued               | 7) Previously cited by RA, abatement pending |
| 3) NOV Issued               | 8) Abated during or before OSM inspection    |
| 4) FTA-CO Issued            | 9) Follow-up of Federal Action               |
| 5) IH-CO Issued             | 0) Off-site Impact with no violation         |

#### Off-Site Impacts

- For each type of impact and resource affected, enter "N, D, or J" to describe the degree of off-site impact:
- N - Minor Occurrence  
D - Moderate Occurrence  
J - Major Occurrence

## Mine Site Evaluation

**Mine Name:** Wildcat Loadout  
**Operator:** America West Resources  
**Permittee:** Intermountain Power Agency  
**Permit Number:** UT-007-033  
**Permit Status:** Active, coal producing  
**Total Acres Permitted:** 100.00  
**Total Acres Disturbed:** 78.45  
**Inspection Date:** January 23, 2013  
**Inspection Type:** OSM oversight, Complete  
**Weather Conditions:** Partly cloudy, 30's  
**OSM Inspector:** Christy Hulsman (#532)  
**Participants:**

Amanda Daniels, DOGM, Lead Inspector  
Pete Hess, DOGM, Former Lead Inspector  
Lauren Mitchell, OSM Inspector Trainee  
Scott Dimick, Site Manager, American West Resources

## Inspection Narrative

### A. Administrative

The Wildcat Loadout is an active operation located near Price, UT. It is operated by America West Resources, Inc. and permitted by Intermountain Power Agency. It has been in operation since April, 1985. A records review was conducted at the DOGM office with Amanda, Pete, and Lauren and myself; Scott Dimick met us on site. A secondary records review was conducted at the mine office where Kit Pappas (Environmental Manager, American West Resources) was present. The following documents were on file and current: Certificate of Self Bonding, Annual Impoundment Certifications, UPDES permit, Air Quality permit, Discharge Monitoring Report and the current permit face page (expiring May 2014).

### B. Hydrologic Balance

Sediment ponds A, B, C, D, E, and F, as well as the upper and lower impoundment cells were inspected. Inlet structures were in good repair with no evidence of damage from snow or ice; monitoring and maintenance, if necessary, must continue through the winter months.

The embankments and spillways on all of the ponds appeared to be in good repair with adequate vegetative cover on the embankments. Pond B will be cleaned out in the spring; sediment levels are still below the maximum allowable amount and there is adequate water storage capacity.

### C. Topsoil

Topsoil piles A, B and F, and subsoil pile E were inspected and all storage piles were marked with visible and appropriate signage. The piles show no signs of instability and the vegetative cover is adequate based on the climate and is in line with surrounding undisturbed areas.



Figure 1 – Sediment pond C; primary discharge riser pipe in the foreground



D. Backfilling and Grading

No backfilling or grading operations were being conducted at the time of this inspection. Minimal backfilling and/or grading will occur while the site is active.

E. Excess Spoil Disposal

N/A

F. Coal Mine Waste

The refuse (reject) pile on site also contains fines from sediment pond cleanout activities (Figure 2).

G. Blasting

N/A

H. Subsidence Control

N/A

I. Roads

All roads were in good condition and marginally clear of snow and ice. Road ditches appeared to be functioning properly, but need continued monitoring to prevent snow or ice buildup through the winter months (Figure 3).

J. Signs and Markers

The DOGM and MSHA permit numbers were posted at the entrance of the site. The sign also contained all the necessary permittee information.

K. Distance Prohibitions

A previously issued Division Order requires the mine to monitor and submit data on the implemented coal fines monitoring program. This program is used to collect data related to the accumulation of aerially transported coal fines within the permit area (Figure 4). This data should enable DOGM and the operator to implement best management practices on frequency on method of cleanup. Coal fine accumulations of up to 6 inches were observed in some areas, mostly around the installed straw waddles and hay bales.

L. Revegetation

A reference area for vegetation is located southeast of disturbance boundary; it was noted that coal fines are present in this area. DOGM needs to evaluate if anything



Figure 2 – Refuse pile with rock pickings and sediment pond cleanings



Figure 3 – Road ditch adjacent to main access road



Figure 4 – Location of the coal fines monitoring points



needs to be done to remove them.

No revegetation activities were being conducted on site since it is an active operation, other than maintaining established vegetative cover on the topsoil piles and pond embankments.

M. Postmining Land Use

Suitability to the post-mining land use was not evaluated as part of this partial oversight inspection since there the site was not being evaluated for bond release.

N. Other

Numerous frack tanks containing oil are located with the permit boundary even though the storage of these tanks is not in the approved permit (Figure 5). The operator stated that they belong to and are being maintained by the rail road. The operator and DOGM need to either have these tanks removed, or implement a permit revision allowing the storage of these tanks within the permitted area.



Figure 5 – Frack tanks containing oil, being stored with in the permit boundary by the rail road



I&E Inspection Photos

Permit: UT-007-033

Inspection Date: 1/23/2013

Permittee: INTERMOUNTAIN POWER AGENCY



Notes:

Sediment pond F

Photo ID: 10103

Photographer: SMICHULSMAN

Date Taken: 1/23/2013

State: UT

County: CARBON

Latitude: 39.63451944

Longitude: -  
110.91686667

Subject: WILDCAT LOADOUT COMPLETE

Mine Name: WILDCAT LOADOUT



Notes:

Topsoil pile B (right) and  
Subsoil pile E (left)

Photo ID: 10104

Photographer: SMICHULSMAN

Date Taken: 1/23/2013

State: UT

County: CARBON

Latitude: 39.63479083

Longitude: -  
110.91704944

Subject: WILDCAT LOADOUT COMPLETE

Mine Name: WILDCAT LOADOUT